

ALEXANDRIA:

MONDAY MORNING, DECEMBER 3, 1860.

Congress commences its session, at the Capitol, in Washington, this day. It is probable that a quorum of both houses will be in attendance. The President's Message will be sent in, in that event, to-day or tomorrow. We will endeavor to lay it before our readers as early as possible. It it believed that the President will recommend a Constitutional Convention of all the States, in the present crisis of our national affairs. We hope that the Members of Congress will, in view of the condition of things, resolve, without exception, to conduct their deliberations with calmness and dignity. Nothing is to be gained by violence or excitement.

IT BEING UNDERSTOOD that the arrangements for Secession, in South Carolina, are all completed and irrevocable-and that no action whatever either in the North or the South, can prevent the consummation of the purpose, public attention in that State seems to be entirely turned to plans for future alliances or confederation with other Statesand for defiance, if coercion is attempted.

It will be recollected that the Governor of South Carolina, in his recent message to the Legislature of that State, advised the prohihition of the introduction of slaves from States not members of the "Southern Confederaey," and particularly the border States .-He says, "let them keep their slave properin their own borders, and, as the only alternative left them, let them emancipate them by their own acts, or the action of their Confederacy." The unfriendly nature of the recommendation-though he had a perfect right to make it-is evident. The Richmond Enquirer seems to take it in good part-the alternative and all-and says "by preventing Virginia from selling slaves, a perpetual slave region intervenes between the cotton States and the abolition States of and says:-"We trust that all small notes the Northern Confederacy, which preserves the peace within the limits of the Gulf States." But, then, is Virginia to be used | their customers with change, and the severonly for the benefit and security of South Carolina, and one or two other States which do not regard her interests?

Ex-President Pierce has written a letter to a friend, on the national crisis, which is published in the Washington Constitution. In it he says: "I trust the South will make a large draft upon her devotion to the Union, and be guarded by the wise moderation which the exigency so urgently calls for. Can it be that this flag, with all the stars in their places, is no longer to float at home-abroad and always as an emblem of our united power, common freedom and unchallenged security? Can it be that it is to go down in darkness, if not in blood, before we have completed a single century of our independent national existence? I agree with you that madnes has ruled the hour in pushing forward a line of aggressions upon the South, but I will not despair of returning reason, and of a returning sense of constitutional right and duty."

The Legislature of Arkansas has now been in session more than a week, and a large amount of business has been brought before the two houses, but not a word has been uttered, so far as we can learn from the detailed proceedings of the body, in regard to means or mode of action in defence of the South. Certain it is, no resolution or act has yet been introduced having reference to any State action in consequence of the election of Lincoln. The proceedings of the day. Legislature show an apparent calm in the state of public feeling, or at least no precipitancy in showing the position of the State in regard to the question that has brought such anxiety and gloom over other communities.

The Syracuse Journal says: "Mr. Seward will, we are advised, at an early day in the session of Congress, make a speech in the Senate, giving his views on the state of the country and the revolutionary movements in these times." The expressions of his home organ, the Auburn Union, may indicate the line he will follow. The Union repudiates the compromise proposition of the Albany Evening Journal, and says that the republican standard must not be lowered a hair's

The New York Tribune states that Hon. George Briggs, of that city, will introduce into Congress a proposition to compromise the difficulties between the North and the South by restoring the Missouri Compromise line, and amending the fugitive-slave law so as to make it more acceptable to the North, &c. The Tribune repudiates the idea, and the country republican press of New York refuse to accept the policy laid down by the Albany Journal.

We see it stated, we do not know on what authority, or how far subsequent events may confirm the assertion, that none of the Virginia Members of Congress, Senators or Representatives. (whatever may be their sympathies or predilections,) are in favor of the course of South Carolina, at this time; or think that she is acting, at present, properly or discreetly in reference to the other

It is said that Mr. Stephens' Union speech was read by Mr. Lincoln with great satisfaction. He is, also, reported to have said that the best item of news he had received since the 6th of November was that of Mr. Stephens' election as delegate to the Georgia State convention.

A corps, numbering about forty spirited young men of Burke county, Georgia, has been formed, and has tendered its services to Gov. Gist, in the event of an attempt to coerce the State of South Carolina.

If two-thirds of the States in the Union unite in requesting Congress to call a convention under the fifth article of the constitution, the convention will meet.

NEWS OF THE DAY. "To show the very age and body of the TIMES."

The fulling off of revenues from customs at leading points in November of this year, of last year, is about as follows: Boston, \$130,000; New York, \$400,000; Philadelphia, \$90,000; Baltimore, \$25,000; New Orleans, 20,000-total, 655,000. The receipts for two days of this month are estimates .-The customs receipts just now are quite limited, of which perhaps a fifth is paid in Treas- ground in favor of a Convention: ury notes. Not over \$200,000 in cash has been paid in on loan account during the past had fully matured. These may not be recorded. The Treasury Department has answered a requisition for the salary of mem-

bers, but not one for mileage. At the Kentucky Military Institute, on the 17th ult. a slavery discussion took place at breakfast, which resulted in a general fight between the Northern and Southern boys. There was not a single weapon used in the fight-but tumblers, cups, and plates, were used with such a good effect, especially by the Southern boys, that the Yankees soon found twenty minutes, and all the efforts used by

the Faculty to stop the battle was to no effect. Some predict a serious decline in the price of and demand for cotton. So it is, misfortunes never come alone. Everything seems to concur, at this time, for the purpose of promoting disorder and panie in this counry. It is stated that the city of New York has already lost fifty millions by the panic. That is a trifle to what she yet possesses and may yet lose. Boston thought herself to be panic-proof. But not only stocks, but merchandise of all kinds have there been subject to a serious deprecation.

The amount in the Treasury subject to millions four hundred and fifty-six thousand dollars. The receipts for that week amount to two millions five hundred and seventeen thousand dollars. Drafts paid, two millions eight hundred and seventy-five thousand dollars. Drafts issued, two millions two hundred and fifty-six thousand dollars.

Minister Harris writes that the glowing accounts received of the reception of the Japancse Embassy had occasioned great delight among the officials at Yeddo.

Mr. Guliek, of North Carolina, has been promoted to the responsible post of chief clerk of the Census office in place of Mr. Wagner, of S. C., resigned.

As we anticipated, there is now less ease in money than immediately after the suspension by the banks. None but first class paper can be negotiated on the street.

VIRGINIA NEWS.

The Fredericksburg Herald refers to the appearance of Alexandria Corporation notes will be discarded in this section. They are not needed, as we learn the Bankhouse of the Messrs. Slaughter will suppy al Banks will not refuse change in sums of 35, where the design is simply to procure change for the ordinary purpose of trade."

The paper issued by the Maryland Baptist Association, in compliance with the resolution preceding it, was publicly read on Sunmorning, at the Baptist Church in Fredericksburg, by the Pastor, Rev. Dr. Wm. F. Broadus, who followed it in a discourse reflecting the highest credit on his piety, ability and patriotism.

A Baltimorean, whose name is not given, at Richmond, on Wednesday, became desperately enamored with an actress, Miss Nelson, and sent her a note with his daguerrectype, requesting to accompany her home at the close of the performance. She met Congress, the Federal Judiciary and a millhim and gave him a cowhiding in the street.

The Fourth Quarterly Meeting of the Methodist Church, Baltimore Conference, Fauguier, Rev. Mr. Owen, the Pastor, will commence in Warrenton to-day, and probably continue through the week. The Presi- Legislatures have passed acts to nullify or ding Elder, Mr. Brown, will be present, in obstruct the fugitive slave law of Congress, addition to other Ministers.

The Fredericksburg News says: "We have received a letter from Alexandria which bestows great praise on the Conference proceedings and Ministers assembled—as well as on the hospitality of Alexandria."

Messrs, Stephens and Taliaferro, Real Estate Agents at Federicksburg, sold on the 24th ult., Mr. Abner S. Randolph's farm in Stafford, to Lewis and John L. Hammet, for \$3,000, being an average of \$16 per acre. John Tyler, jr., is to address the citizens of Richmond, on political topics, at an early

In Hampshire county, Levi Hott, has been chosen a Justice of the Peace and J. W. Baker, Constable.

The Deer Hunt at Crawford's.

We referred some weeks since to the party of deer hunters who went from this place to the Shenandoah mountain, and succeeded in securing twenty-six deer. We called the attention of the other Albemarle party who were about to have a hunt at Crawford's, to the figures, and bantered them to see if they could do as well.

The Crawford party have showed themselves trumps, but justice compels us to award the medal to the Shenandoah hunters. The former secured twenty-two deer-although they claim to have shot twenty-nine.

Mr. J. Warwick Woods killed three deer on the first day, having shot two on the same occasion with his two barrels. Mr. Dabney Carr, eighty-six years of age, killed a fine buck. An esteemed friend, whose name delicacy requires us to suppress, lost his colors, having missed a deer at some fifty paces. All gentlemen may learn from this, as our friend is an old hunter, the importance of carrying at least two shirts on a deer hunt. Another gentleman-one of "the olden time"-uphappily neglected to put any shot in his gun, and missed a doe with both barrels about ten steps .- Charlottesville Adv. &

VIRGINIA GUN FACTORY .- We understand that Messrs. J. M. McCue, J. D. Imboden, M. G. Harman and others, have purchased the large freight Depot of the Virginia Central Railroad, at this place, for the price of \$3500, with the view of establishing a manufactory here of the newly invented repeating gun, which is now attracting so much attention, and is the invention of Lorenzo Sibert of this county. Messrs. McCue and Sibert are the patentees, and have had one of the guns put up at Harper's Ferry, which is reported to be the finest piece of work ever fabricated at that celebrated Armory. A board of ordnance officers has been ordered to test the

gun at Washington in a few days. The parties who have purchased the depot, here, will be incorporated as a company, as soon as the Legislature meets, and will get to work with 20 or 30 hands at an early day We think those gentlemen in Maryland, who this Winter. We hope the time may come justify South Carolina, cannot be very brave when this manufactory will rival Chicoppee, or patriotic men, else they would not fold or Springfield in the production of fire arms. their arms and see the cotton States avenge -Staunton Vindicator.

The action of the Vermont Legislature on the Fugitive Slave law question, will farther exasperate the South, and increase the Dis-

Our columns were so crowded last week, that many articles, selected and communicated, had to be left over.

Letters from Senator Mason, and Hon. H. L. Hopkins.

We mentioned in Saturday's Gazette that letters had been received from Senator J. M. Mason, and Hon. Henry L. Hopkins, in reas compared with the corresponding month ply to a letter addressed to them by the editors of the Richmond Enquirer, asking their opinions, on the National Crisis, and the proper course for Virginia to pursue:-

> The following is the most important part of Senator Mason's letter, which takes strong

"The disruption of the Federal Union, thus imminent, or I should more properly say, acweek. Some \$50,000 of Treasury notes have tunk, is a great and pregnant event; and in the eve of perpetrating some great crime. been sent in by takers of the loan before they | considering, therefore, how it may become the Convention of Virginia to act, we must look to that event as a material if not a controling element in its deliberations. In the first place, it may, and most probably will, force upon the Federal Government the settlement between it and the several States, of that right is denied, a new and paramount issue will be made between the States and thing is very clear: Virginia (no more than any other Southern State) will not be pasthat the climate was rather too warm for sive, should any attempt be made, by force, them and emigrated. The fight lasted about to reduce such seceding State or States to

In the next place, it is to my mind equalv clear, should one of the States separate from the Union on this slavery question, the disruption will necessarily carry with it the like separation of all those slave-holding States whose destiny it is to continue such; unless, under a returning sense of right and justice in the Northern mind, all may remain, on such securities for the future as exclusive charge of those to whom it per-

I have ventured thus, though with unfeigned diffidence, to look forward to what Virginia may be called on to consider and dedraft at the close of last week was over three | termine, in regard to the great issues forced magnitude of the occasion, may be well estimated by the magnitude of those events. State follows State into Convention, to deliberate on the necessity of breaking up a government which they believe has levied war against the essential interest and dearest rights of their people. The Southern States, happen what may, have never been the aggressors, in this strange, unnatural contest. meet all the consequences. There can be no Union. doubt or hesitancy, therefore, in my mind, as to the course of Virginia. A Convention is the only authority competent to the occasion, and it should be assembled at the carliest day practicable."

Mr. Hopkins, (Douglas) quotes the words of Washington against disunion, and thinks that the same spirit is now at work which drove our first parents out of Paradise, and which has been the potent influence which the Northern States, give a solemn warnhas heretofore destroyed the best human in- ing, and if our demands should be refused, stitutions. He concludes:

"I say, then, the South has a just cause to with the Gulf States. essation of these unfriendly and provoking acts. But let this be done-not in fretful impulse and haste-but with all the deliberation and dignity of sovereign States, resolved to maintain their rights, "peaceably, if they can, forcibly, if they must." But it of enlightened policy, of real interest and of outriotic duty, to exhaust our remedies withn the Union, for a redress of our grievances, before we plunge into the dark abyss of known and unknown ills, that lie beyond : dissolution of it. While the cotton States are busily preparing to take the awful step of secession, merely because of the loss of Presidential election, under and according to the forms of the Constitution, I would appeal to them, as friends and brethren, to wait yet a little longer-especially as both houses of ion of Northern voters are with us; and then I would ask Virginia, single-handed and alone, if other States would not join her in ers to all those States in the North, whose in flagrant violation of the Constitution and our rights under it, and to demand a repeal of those obnoxious acts, as the only means of saving the Union from destruction.

If their Legislatures or Conventions called to consider the proposition, should reject it, prefering their unconstitutional and hostile legislation, to the preservation of the Union, then the whole South would go out together, and the act of secession. founded. not on the legal and constitutional election of a President, but upon their hostile legislation against us, thus solemnly re-affirmed, would be justified in the sight of God and man. The remedy, under existing circumstances, would, I think, be sufficient and of-

You request my views on the subject of a Convention to consider the "necessity of our position." I am decidedly against any Convention of delegates appointed by the primary meetings of the people. Our experience in the last two Democratic State Conventions, must convince us that they are no places for calm deliberation and enlightened lecision, such as the "necessities of our position" now demand. But I think it would be wise for the Legislature to call such a Convention, and provide by law, for the election of its members without delay."

SUDDEN DEATH IN WASHINGTON .- A remarkably sudden death occurred on Thanksgiving day-that of Hall Neilson, esq., long and favorably known as a man of business, president of the Great Falls Manufacturing Company, concerned in coal lands and other enterprises. For some time he had suffered and about 9 o'clock on Thursday morning proceeded to the office of his physician, Dr. Richards, who told him he was sick, and advised him to go home to bed. Dr. Howard, then present, accompanied Mr. Neilson round to his office, put him in bed and left. But a short time elapsed when Dr. Richards arrived, and going up with Mr. Ritchey, a neighbor, they found the patient sitting in his chair, his head fallen over on the table. and he was dead! The only indications of disease, beside his finger, were found in sevoral blueish spots on his arm. Mr. Neilson was the uncle of the late Assistant Postmaster General Marron, and at the time of his moved. For probably twenty-five years. from 1810 to 1835, he was an influential merat over seventy .- Bult. Sun.

taking the same course, for she has suffered | made in Paris .- Rich. Enq. one hundred fold more than South Carolina. their wrongs, and they look quietly oni-Cumb. Civ.

TATHEREAL OIL .- West's best quality, fresh Li supply, just received, and for sale by CHARLES J. WISE, cor. of Prince and Pitt-sts. DOOR MATS of Rope, Manilla, Cocoa, Jute,

JOHN OGDEN.

Hon. William Smith.

The following is reported by the Warrenton Flag as the positions taken by Hon. Wm. Smith, in his speech in Warrenton, last Monday :

Gov. S. said, of course, it was too late to

decessor's remarks, but he would speak generally as it seemed to be the desire of the people to hear his opinions and counsel .-He said if it was true, as Gen. C. admitted, that the South had always been in the right in her controversies with the North, and that she was not now in the wrong, why did the result, addressed to Attorney General he come to Virginia as if she was now on Tucker, and his response to the same: instead of going to the region of Black Republican predominancy and endeavoring to remove the causes of our indignation and complaints? There was the field of labor -not here; we were now in the right as heretofore; the other section was the wrongdoer and let the gentleman go thither with the question of the right of secession. If his eloquence and seek to obtain redress for total of votes cast for the Electors, specifythe insults and injuries we had endured for ing the number, and then add a portion of so many years. (This was received with these votes cast without tickets, and the rethe federal power, which will be presented unbounded plaudits.) The speaker loved sidue cast with tickets. Ought these votes ovidence of its being cast, as that, without it; to the Virginia Convention in limine. One the Union, and would make sacrifices for its to be received or rejected? preservation; and was likewise with the Southern people, who simply required it to return of Electors by the Commissioners be- the vote. be maintained as it was formed. Already the ing erroneously given, thus, "S." instead of South had submitted to many and grievous "T.," or the ommission of junior or senior at wrongs at the hands of her Northern breth- the end of the name, as the case may be .ren, in the hope that there would be a hap- Ought such return to be received and countpy change in time, and the question now ed in favor of the particular Elector? was whether she would unconditionally submit to the consummation of those wrongs | the elector being erroneously stated in the found in an administration pledged to their return-for example, Anthony instead of upon a vote viva voce, the constitutional repeated perpetration as its line of govern- Andrew-should such returns be counted or mental polity. He then proceeded to recite excluded for the Elector? a portion of the history connected with the subject, and produced the evidences of the will establish this great social interest in the | deep-scated animosity to our rights and in- | turn, should the return be counted or excludstitutions that would control the Lincoln administration. Under such circumstances, he had no quarrel with those who favored secession at this time; he could easily understand that that might be regarded as a justifiable step in view of the alien characupon her counsels by events in progress. The ter of the government to succeed the present administration. He held that we would stand in pretty much the same position to the Federal government in Lincoln's hands as the colonies held to the British crown at the time they declared that they ought of right to be independent. It was necessary for the South to take a stand now; not to be guilty of unconditional submission, and it was well perhaps that the Cot-In what they have done, or what may yet re- ton States should secede; it would aid the main for them to do, they are prepared to cause of those who desired to renew the

While, however, he thought the issue ought to be made, there was still a question of policy to be determined, and he thought that as a matter of policy Virginia should remain in the Union for the present to make a last effort for the perpetuity of the Republie. It was her duty to call a Southern Convention and confer with such of her sisters as might attend-lay down an ultimatum to as a matter, of course, make common cause

complain. Not only to complain and remon- In his judgment this was the best remedy strate, but firmly and sternly, to demand a that could be devised. There were no dis- presses his choice by ballott or viva voce. unionists per se and those in favor of imme diate secession might well wait for the result of such an attempt, while it would assuredly meet the assent of all other parties not anxious for most ignoble peace .-For himself he anticipated no war; none cerbehooves us, I think, by every consideration | tainly if the South would be an unit, for what government would undertake to subjugate a section covering so large an area of territory and so abundant in all the elements of strength and greatness?

Hon. Jno. T. Harris. From the abstract given in the last issue of the "Valley Democrat," of the speech delivered on the 19th ult, in Harrisonburg, by Hon, Jno, T. Harris, we are satisfied that he made an able and sound Union speech .-He showed that there could be no danger of hostile legislation, and no danger of having very objectionable men appointed to office, as the Republicans will be in a minerity in her mission of peace, to send Commission- both Houses of Congress. Lincoln will be impotent for mischief. In reference to pecuniary considerations he said: "It has been estimated that a Southern

confederacy would cost about \$18,000,000 per annum. That, as a new government, we would have but little commerce, and we would be required to raise this amount by direct taxes. Virginia's portion, by this estimate, would be little less than \$2,000,000 per annum, which, with her heavy debt, and or ticket containing the names of as many high State taxes, she is little able to bear .--Another effect of disunion would be to reduce, perhaps, 50 per cent, the price of ne-

"He appealed to Virginia to stand firm, with one eye on the North, watching and guarding our rights, and the other on the ex- any other distinct designation of them collectreme South, exhorting them to return to the government of their fathers. By pursuing vote by ballot. When the vote is received by this course, she might produce a reaction at the North and a happy reunion at the the poll book as aforesaid." It further pro-

South." "He was opposed to telling South Carolina in advance, that we do not wish to secede, but we cannot remain in the Union if you go. It was but an invitation to her to go, and Virginia would do what she had never done

before, follow." # * "He was opposed to any convention which had for its object, directly or indirectly, the

dissolution of the Union for existing causes." GALT'S STATUE OF JEFFERSON .- This fine work of art, ordered by the University of Virginia, was exhibited by the artist vesterday, at the rooms of Mr. Davies, at the Mechanies institute, to a party of the sculptor's

friends. The statue is of pure Italian marble. The distinguished statesman is repre- ed by him within six months after the elecsented at the age of sixty; the figure is erect. with the face to the front, the right arm restwith a sore on his finger, resembling a felon, | ing on the left breast, with a scroll in the hand. The left arm hangs gracefully by the side, with the fingers unclosed, and in a most natural state of repose. Over the right arm are thrown the folds of a cloak, and the left arm is partially covered with the same. The posture of the lower extremities is admirable: the legs are but little apart, the left toe being to the front, and the right thrown outwards. The posture, we have said, is admirable, and one can see that the artist has fully exhibited that weakness of limb which belongs to the infirmity of sixty years. The boots are of the old style, or what are commonly called top. The right arm is pressed evidence of the election; while on the other close to the breast, indicating the effort which disease his family were at Mrs Marron's | an old man must make to keep any fixed pocountry residence, whither the body was re- sition. The features exhibit a beautiful blending of the benevolent, the firm and the highly intelligent. The work is chiselled chant in Richmond, Va. His age is stated | with great care. In a word it is a work fac- | constitute the casting of the vote? t over seventy.—Balt. Sun.

An Argument.—We reason thus: If South

tum usque ad unquem. The costume is carefully copied from articles of clothing worn by Mr. Jefferson, and now in the possession Carolina is justified in her present course be- of the artist. We looked at this clothing cause of what the North has done, then Ma- with much interest. The coat is of Virginryland would have a ten fold justification in | ia homespun, and the vest is of buff silk

South of the old stair-case, completely filling idate the vote, if proved by any one of the up the pathway leading to the new stair-case, modes the law requires. If one writer re-Alicante, Inside Mats, Table Mats, for sale by of tons fell."-Toronto Leader.

Official Vote of Virginia in the Presidential Election.

Opinion of the Attorney General on the Returns. The result of the recent election in this State for President and Vice President is without precedent, we believe. The vote of elaborate the subjects embraced in his pre- Virginia since the adoption of the general ticket system, has always been cast entire for one Presidential nominee. The circumstances which have led to the result are matters of such general interest that we publish this morning the interrogatories of Gov. Letcher relative to the questions affecting NOVEMBER 24, 1860.

Questions submitted by the Governor to the Attorney General, upon which he requests his opinion in writing:

1st. Whether is it necessary to constitute a good voter that he should present a ticket and write his name on the back, or have the same written. The Commissioners return a 2d. The initial of the middle name in the

3d. In the case of the Christian name of

4th. In the case of the sir-name of the

Elector being erroneously stated in the reed for that Elector? 5th. Whether a poll opened in the name

whether there were tickets or not? Answer is desired by Monday morning JOHN LETCHER. J. R. Tucker, esq., Attorney General.

RICHMOND, Nov. 24th, 1860. Sir: -I have received your communication, propounding several questions in respect to the electing of Electors for President and Vice President of the United States. I am compelled, by reason of your request for an answer on Monday morning, to prepare my reply at once; and to state more succinetly than I would otherwise have done, my reasons for the conclusions to which I have

1st. Whether it is necessary to constitute a good voter that he should present a ticket and write his name on the back, or have the same written? The Commissioners return a total of votes cast for the Electors, specifying | ed; but, though the names of the voters the number, and then add a portion of these votes east without tickets, and the residue cast with tickets. Ought these votes be received or rejected?

This question involves an inquiry into the real mode in which the law directs the voter to cast his vote; whether the voter really ex- the legal evidence furnished by the tickets. Wm. R. Staples.... 624 James F. Massie.... 90 The Constitution of Virginia (Art. III Sec. 4.) contains this provision:

"In all elections votes shall be given openly, or viva voce and not by ballot; but dumb persons entitled to suffrage may vote by

This provision seems to settle the point as to the mode of casting a vote; it must be given openly or viva voce, and cannot be by ballot, except in the single case of a vote

east by a dumb person. It seems to me it would be incompetent for the Legislature to have required a vote to be cast by ballot, even had it attempted to do so. Nor, in my judgment, has the Legis-

lature made such an attempt. Sec. 14 of chapter 20 of the acts of 1857-'8, provides that under "the superintendence and control of the Commissioners," polls should be open-a Conductor appointedthat he should proclaim and see the votes recorded, appoint writers-have poll books prepared and deliver to each writer the book he is to keep. The writer is required to write the names of voters in a column headed with the words "names of voters;" "and opposite the name of the voter, a mark under the name of each person for whom he votes." The section then proceeds as follows: "And in an election for Electors for President and Vice President of the United States, the said officer" (the Conductor,) "shall receive from each voter a paper persons for Electors as the State may be entitled to, for the time being. The name of the voter shall be written on the back of the paper, and he shall also declare viva voce for whom he votes as Electors, either by repeating the name of each person voted for, or by tively: provided, that if he be dumb he may the Commissioners it shall be recorded on vides, that the correctness of the poll when concluded by the conducting officer, shall be certified by the Commissioners and Conductor; and requires the delivery of the polls at precincts to the Commissioners at the Court-

SEC. 31 of the same act requires the Commissioners at the Court House to examine and compare the several polls taken in the county-strike therefrom improper votesattach a list thereof to the poll, and the rea-

son for so striking them from the poll. Sec. 41 provides that "the tickets handed in by the voters shall be kept by the Commissioners under their sen!"-that they shall be preserved by one of the Commissioners, and be delivered to the Governor, if demandtion. It further provides, that the several polls, when subscribed by the Commissioners, shall be delivered to the Clerk of the county, "to be preserved in the clerk's office." The sections cited are all that bear upon this question. It is obvious from the language of the 14th section, that the law does not prescribe a vote by ballot, but really forbids it, except in the case of a dumb person; thus conforming to the provision of the Constitution already cited. The whole law shows that polls are to be opened and kept, and the votes therein recorded—that upon these the Commissioners are to determine the result-that these are to be returned to the Clerk's office, to be preserved as a perpetual hand, the tickets are to he kept by the Commissioner only, unless they be demanded by the Governor.

What, then, is the purpose of requiring the handing in of the tickets? Does that

I am of opinion that the vote is cast by the veter when he declares "viva voce for whom he votes as Electors," and that the vote so cast must be evidenced according to the mode required by the law. The vote is cast viva roce, and not by hallot-and this under the HEAVY FALL OF ROCK AT NIAGARA FALLS .- vote recorded on the poll. These are the The following is sent us by Mr. S. Davis, of | modes of evidence which the law prescribes, Table Rock hotel, Niagara Falls: - 'On Sat- to establish the fact that the yote has been urday the 24th inst., at half-past 1 o'clock cast. But the absence of the requisite evithere was a tremendous fall of rock a little | dence in all the modes required cannot inval-But a few minutes before the fall, a party cords the vote upon his poll book, and the was being conducted from the museum to other fails to do so, I presume the vote will the sheet of water. Had it happened at the not be rejected for the default of the writer. time they were passing, all must have got If the ticket is furnished and the writers crushed to pieces. I suppose some thousands omit to record, is not the vote to be received. when the Commissioners certify it was cast?

I think the sound rule in such cases is this: All favor should be shown to the right of suffrage; the forms prescribed to protect it should not be made instruments to defeat it, and where there is legal evidence that it has been exercised in a particular mode, it will not be defeated, because all the evidence possible has not been furnished to prove it.

In the case stated in your question, the

Commissioners certify, that a certain number of votes were cast for the Electors-that portion of them were cast without tickets. Still they were cast; and so the Commissioners certify. How cast? Viva voce, it is to be presumed; and the evidence of the fact must have been furnished by the record on the poll books, from which the Commissioners are required by law to make their return. Why, then, should the votes be rejected?-Not because they were not given, for the Commissioners certify they were; nor because there was no legal evidence of it, for we must presume from the certificates the legal evidence was on the poll book. The only reason for rejection must be, because there were natickets. The question then recurs: Does the ticket constitute the vote; or such it cannot be proved to have been given ?-I think I have shown it does not constitute

Is it evidence of the vote cast, without which it cannot be established?

I answer: It is only one of several modes of evidence by which it may be established. Besides, it constitutes evidence of less dignity than that of the record upon the poll books; for the latter can only be obtained mode of voting; while the former might be furnished in the absence of the viva voce vote. I think the law proposed to guard this

election by furnishing two modes of proof, either of which might suffice to establish the fact of the vote cast. Both are not essential -either will suffice. Both should be requiof the candidates for the President and Vice red by the officer; but, if not required, or President, and not for the Electors, should being required, if not furnished, shall the be received and counted, not appearing vote, when cast and recorded by the officer in the one mode prescribed, be rejected?

It seems to me that such a rule would operate a fraud upon the right of the voter. Had the officer refused the vote because of the want of the ticket, the voter could have had an opportunity to secure his right by procuring the ticket. But when he receives and records the vote without a ticket being furnished, is it just to the voter, when the day is passed for the exercise of his rightwhich he supposed he had exercised-to defeat it for the want of a ticket, not made essential at the time?

I am, therefore of opinion that the votes should be received referred to in your first question.

A case somewhat similar, from Loudoun county. I was telegraphed to express an opinion upon to the Commissioners at the late election. In that case tickets were furnishwere recorded, no mark was put under the Electors voted for, whose names, however, were on the tickets In that case the evidence by tickets was

complete-that by the poll book was wanting. I decided the votes were good, upon The votes were not bad because though one | W. R. Stables 326 | I. R. Dunn proof was turnished another was wanting So in this case, I say, though the proof by tickets be wanting, yet the other mode of proof is furnished-and it is what the law has made one of the modes by which voters are to be authenticated.

2d, 3d, 4th Questions. These questions present cases of hardship which I fear there may be no time to relieve. When the commissioners returned that certain persons were voted for as Electors, and as a matter of notoriety some of those voted for were not candidates, (there being slight variations in the name,) the only mode of rectifying the mistake would be to call for the tickets. They might do so. It is now.

perhaps, too late to obtain them. We must lean strongly in favor of the right of the voter to vote. We must strive not to defeat it by technical or formal objections. But, where he has yoted, and for a man bearing a name which the voter designates, the question you propound is, shall we presume he did not mean to vote for a man bearing the name he designated, but for another person bearing a slightly different name? I may, by changing his vote thus promote his real purpose; but might I not thus, defeat his right, and usurp it to myself? I am of opinion, that when the Commissioners certify that a person by one name was voted for, it is not competent for the officer appointed to decide to declare a Chalmers, John Robertson, Henry A. Wise, person of another name was voted for, or to declare otherwise than the certificate warrants: The law declares:

Sec. 40. "From the returns so made out, and transmitted to him, the Governor shall ascertain what persons are elected and make proclamation of the fact."

This law shuts up the Governor to the returns, and he cannot go beyond the returns, so made out to presume a mistake in [them, to help what all may really believe was the purpose of the voter. For example, a certificate states that John

Stiles received so many votes. The Governor knows James Stiles was a candidate, while no one ever heard that John Stiles was. But non constat the voter may have intended to vote for John Stiles. Who can take the liberty, after the poll is closed and certified by the proper officer, of changing it -of making the voter vote for a man he did not vote for, upon a presumption that he must have so intended?

Upon this view I think the votes certified must be counted only for the person whose name is recorded as having received them. If it be said that some name was voted for which is borne by no person known to the Governor, still it does not follow that such a person does not exist. But if no such person does exist, then the vote is void.

Where the initial of the middle name is not that of an Elector on either ticket usualy voted for, the question is solved by askng, is the name voted for that of the name most like it on the ticket? Is A. B. Smith A. C. Smith? Can the latter claim a vote cast for the former? He can only do so by showing the voter meant to vote for him, and how can that be done now? I think such a vote cannot be counted, ex-

cept for a man answering to the name designated; and not for one whose middle initial I think, however, the addition of junior

or senior is no part of the name, is different, and that the vote may be counted for a man who is a candidate who bears the name designated by the voter. When the christian or sir-name is stated

differently from that upon either ticket, I do not see how it can be counted for the candidate on the ticket uestion, it is this: It not appearing whether | party.

tickets were used or not, can a poll opened

for candidates for President and Vice President be received, in determining who have tions, I shall be pleased to receive it, Respect-Constitution and the law. The law directs been elected Electors to vote for persons to the officer to receive a ticket, and to have the fill those offices?

Lett be received, in determining who have the fully, &c., St. John B. L. Skinner, Acting First Assistant Postmaster General. I answer in the negative. The polls are to be opened for Electors for President. Electors are to be voted for. If it does not appear that Electors were voted for, the poll

is of no validity, and cannot be counted, because it shows no legal votes for persons to be elected. I have thus hastily stated my opinion upon the questions presented, and regret that a want of time compels me to do so more hur-

riedly than I could have desired. I am, respectfully your obedient serv't, Gov. Letcher, J. R. TUCKER.

NOVEMBER, 27, 1860. Where the caption of a return certifies that the election was held on the 6th of December, 1860, and in the conclusion the pa-per bears date the 10th of November, 1860. ought the poll to be rejected or admitted?

JOHN LETCHER. J. R. Tucker, esq., Attorney General

NOVEMBER 27, 1860 I am of opinion it should be admitted. It is an obvious mistake, and the presumption should be, the election was held on the day required by law, unless the contrary appears The contrary does not appear-for it is im. possible a return of an election should be made Nov. 10, 1860, held on Dec. 6, 1860, especially when we are considering the return before the day stated therein as the day of election. It is a mistake, and is as if the month was blank. If it was blank the legal inference would prevail. J. R. Tucker, For the Governor.

Official Vote of Virginia.

We append the official vote of Virginia. in the late Presidential election. The vote of Wyoming county is not included, because of the fact that the proper officer fail. ed to make a return. The messenger sent by the Governor, returned with a certificate of the Clerk of the Court, showing that Bell received 60 votes, Breckinridge 29, and Douglas 9. By comparing the vote of the highest Bell Elector and the vote of the highest Breckinridge Elector, as given in the official result below, it will be seen that Bell has a majority of 218. Add to this his majority of 31 in Wyoming, and Bell's ascertained majority in the State is 249,-Owing to the informalities in voting for the Electors, nine of the Bell Electors and six of the Breckinridge Electors have been chosen to cast the vote of the State. The Electors are to meet at the Capitol, in Richmond.

on the 5th of December. Bell Electors.
Thomas Bruce.....74,524
Marmaduke John
Breckinridge Electors.
Wm. Lamb.......74,306
J. R. Edmunds ...74,245 son......74,524 L. J. Bowden 74,524 | R. A. Claybrook .. 74,245 J J. Jackson, Jr.74,524 | W. H. Anthony ...74,245 F. T. Anderson ... 74,450 | J. W. Massie 74,155 B. H. Shackelford74,377 Isaac B. Dunn....73,585 A. B. Caldwell.....74,249 Z. Kidwell........73,495 L. H. Chandler ... 74,020 Jos. Christian 74,097 Walter Preston...73,927 J. T. Thornton....73,208 Eppa Hunton....72,460 T. H. Epes.......73,163 J. G. Newman...72,457

James Lyons 74,205 T. F. Goode 73,074 T. T. Tredway 72,865 B. B. Douglas 72,529 J. F. Johnson 73,102 J. L Kemper71,687 W. R. Staples.....72,747

A. E. Kennedy 72,406 SCATTERING VOTES. J. H. Chandler..... 332 Thos. E. Goode.....1174 Thos. E. Goode 1174 L. B. Chandler 150 T. F. Tredway 601 Francis H. Epps..... 1361 | J. T. Tredway 185 L. H. Chambers 109 T. J. Tredway 594 John S. Thornton..1176 Jas. F. Kemper 447 John J. Thornton... 140 | James S. Kemper... 458 Jas. T. Johnson....1225 Joseph L. Kemper., 894 James S. Johnson., 197 John L. Kemper 432 O. Christian 427 James L. Kember. 327 D. H. Shackelford. 147 Bev. R. Douglas....1716 And'w. F. Kennedy 995 | Eppa Hutton 807 And'w. S. Kennedy 526 | E. Hunter 894 And'w. J. Kennedy 33 Thos. S. Isbell .. An. W. E. Kennedy 102 | Thos. W. Isbell 1486 Fra'cis J. Anderson 72 | Thos. L. Isbell 207

John A. Newman... 510 John J. Newman... 429 John B. Newman .. 402 Douglas Electors. Lincoln Electors. Geo. Blow.......16,223 Hen'y L. Hopkins16,207 Geo. Rye.....1,929 John Wright 1,929 Jon'thn B. Stovall16,097 | R. H. Gray Jas. Garland 16,250 Thos. Todd. Ben. F. Randolph16,186 | Jos. Applegate......1,929 James H. Cox 16,250 | Thos. J. Hewitt 1,929 J. B. Ailworth 16,250 | Joseph Bell 1,929 G. H. C. Rowe 14,016 | John McLure 1,929

Geo. W. Brent 16,251 | Levi Pittman 1,929 Israel Robinsou.. 16,241 W. E. Stephenson. 1,929 J. N. Liggett 16,232 | D. W. Roberts 1,929 D. H. Hoge 18,103 J. L. Freeman 1,929 Geo. W. Hopkins. 16,224 | Jacob Hornbrook. 1,929 C. J. Stuart......16,251 S. M. Peterson.....1,908 Wm. G. Brown....16,235 G. D. Hall.......1,929

SCATTERING VOTE FOR DOUGLAS ELECTORS. Geo. W. Blow 28 | J. H. C. Rowe 130 H. D. Hopkins..... 27 G. A. C. Rowe..... 86 H. M. Hopkins...... 16 Isbel Robinson...... 10 Jon'thn L. Stovall. 153 J. M. Liggitt....... 20

C. H. B. Rowe 153 | Wm. C. Brown SCATTERING LINCOLN VOTE. With the returns made to the Governor

may also be found the following ticket, voted by a resident of Pittsylvania county: Richard K. Cralle, Willoughby Newton, Edmund Ruffin, Frank G. Ruffin, David James A. Seddon, Wm. H. Werth, R. G. H. Kean, Beverly Johnson, Henry A. Edmundson, Wm. Watts, George Fitzhugh, Albert

VERMONT LEGISLATURE-ANTI-FUGITIVE SLAVE LAW BILL REJECTED .- On the 23d instant a majority of the committee of the Vermont House of Representatives, to whom had been referred a bill to repeal an act passed in 1858, to secure freedom to all persons within the State, reported that the same ought to pass, upon the ground that the act of 1858 is unconstitutional. After clearly stating the argument against the act, the committee proceed to say:

"While we retain this law on our statute book, we are estopped for very shame as a party in pari delicto from rebuking nullification or secession in other States. By repealing the law we shall perform an act of simple justice to ourselves and the States with whose rights the law conflicts, and shall do much to encourage the hope of patriotic men everywhere that the bond which has so long held the States in one great and prosperous Union may servive the perilous discontents of the time, and endure for ages to come."

The bill which accompanied this report was reached on Tuesday, and, after an able speech in favor of its passage by Mr. Thomas, of West Fairlee, it was rejected, two to one. Twenty-five Republicans voted for the repeal of the law. The Legislature has adjourn-BROUGHT UP STANDING. - A Douglas Post-

master in Western New York has just been greeted with the following official present-POST OFFICE DEPARTMENT,

APPOINTMENT OFFICE, Nov. 16, 1860. Sir-It is alleged that you take great pains in distributing Anti-Democratic papers, while you never deliver Breckinridge and Lane newspapers without making some offensive or deprecatory remark, and that you are very offensive in doing so, and have devoted to it a good deal of time, to the neglect of your official duties; that you keep your office in a very dirty and slovenly manner, giving rise to great complaint, and also that, at the recent election, and at the polls, you publicly denounced the President and Mr. Breck-If I understand the case intended by this inridge as not belonging to the Democration

If you have any reply to make, or evidence to offer, in disproof of these allega-

South Carolina Meybers of Congress. The Columbia (S. C.) Carolinian says:
"We learn that all our members of the

Federal House of Representatives have determined to go on to Washington and resign there. We are informed that there are members from other Southern States who are desirous of conferring with them in the steps towards the consummation of a Southern Confederacy. The arrangement will not interfere with the discharge of their duties as delegates to the State Convention.